

### **REMARKS/ARGUMENTS**

Claims 1-3, 5-14, 16-19 and 21-23 remain in this application. Claims 4, 15, 20 and 24-26 have been canceled herein. Claims 1, 13, 17 and 23 have been amended to more particularly point out the Applicant's invention. A Request for Continuing Examination ("RCE") is submitted herewith. Upon entry of the current Amendment, the application should be in a condition for allowance.

### **REJECTIONS UNDER 35 U.S.C § 103**

Claim 1 has been rejected under 35 U.S.C. § 103(a) as unpatentable over <http://www.ustrim.com/trim/page31.htm> (hereinafter "*ustrim*") in view of U.S. Patent No. 6,108,688 to Nielsen. It is respectfully submitted that neither *ustrim* nor Nielsen, either singly or in combination, suggest or disclose the method recited in the pending claim 1, as currently amended. Claim 1 calls for, in addition to other elements, creating an electronic tag that correlates to scripting code. The scripting code, when the electronic record is sent, is activated. The activated scripting code acts to keep the electronic record from being deleted before the expiration of the deletion prevention time period associated with the electronic tag.

Accordingly, neither *ustrim* nor Nielsen, singly or in combination, disclose or suggest the method recited in claim 1. Applicant, therefore, respectfully requests the rejection of claim 1 be withdrawn.

Claims 2-3, 5-14, 16-19 and 21-23 have been rejected under 35 U.S. C. §103(a) as unpatentable over *ustrim* and Nielsen in view of U.S. Patent No. 5, 245, 532 to Mourier. With respect to claims 2-3 and 5-12, for at least the reasons detailed above, Applicant submits that *ustrim* and Nielsen fail to disclose or suggest the method recited in

claim 1, singly or in combination with one another or with Mourier. Claims 2-3 and 5-12 depend from claim 1 and incorporate all of the limitations recited in claim 1. Accordingly, *ustrim* and Nielsen fail to disclose or suggest the methods recited in claims 2-3 and 5-12, singly or in combination with one another or with Mourier.

With respect to claims 13-14 and 16, the reasoning articulated above with respect to claim 1 applies equally to claim 13. Claims 14 and 16 depend from claim 13 and incorporate all of the limitations recited in claim 13. Accordingly, *ustrim* and Nielsen fail to disclose or suggest the apparatuses recited in claims 13-14 and 16, singly or in combination with one another or with Mourier.

With respect to claims 17-19 and 21-22, the reasoning articulated above with respect to claim 1 applies equally to claim 17. Claims 18-19 and 21-22 depend from claim 17 and incorporate all of the limitations recited in claim 17. Accordingly, *ustrim* and Nielsen fail to disclose or suggest the articles of manufacture recited in claims 17-19 and 21-22, singly or in combination with one another or with Mourier.

With respect to claims 23, the reasoning articulated above with respect to claim 1 applies equally to claim 23. Accordingly, *ustrim* and Nielsen fail to disclose or suggest the method recited in claim 23, singly or in combination with one another or with Mourier.

For at least these reasons, Applicant respectfully submits that the cited art, either singly or in combination, does not disclose or suggest Applicant's invention as currently claimed. Accordingly, it is respectfully submitted claims 1-3, 5-14, 16-19 and 21-23 are in condition for allowance and such allowance is requested.

Patent Appl. No. 09/175,589  
Attorney Docket No. 150-003 US  
Amendment Dated: November 22, 2005  
Reply to Office Action Mailed June 2, 2005

The Commissioner is hereby authorized to charge any additional fees which may be required in the Application to Deposit Account No. 50-3665.

Respectfully submitted,

LEFEVOUR LAW GROUP, LLC

By:



Martin T. LeFevour  
Registration No. 37,378  
Attorney for Applicant

Date: November 22, 2005

LEFEVOUR LAW GROUP, LLC  
4365 Lawn Avenue, Suite 5  
Western Springs, Illinois 60558  
Telephone: (708) 246-2338  
Facsimile: (708) 246-0338